

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of

Ditlow et al.

Serial No.: 09/943,829

Group Art Unit: 2195

Filed: August 31, 2001

Examiner: Tang, K.

For: METHOD AND APPARATUS TO MANAGE MULTI-COMPUTER SUPPLY

Honorable Commissioner of Patents
Alexandria, VA 22313-1450

**PETITION UNDER 37 C.F.R. §1.181 TO PRECLUDE RE-OPENING
PROSECUTION AGAIN WITHOUT
DEMONSTRATION OF SIGNIFICANT CAUSE**

Sir:

Appellant herein petitions under 37 C.F.R. §1.181 that prosecution not be permitted to be re-opened again in the present Application without a very clear demonstration of good cause, as signified by the signature of the Director of the Technical Center that any future rejection that re-opens prosecution has been thoroughly reviewed personally by the Director and is demonstratively better than the rejections currently of record.

Appellants have now had to prepare FOUR appeal briefs in this prosecution and submit that, if the Examiner cannot provide a significantly better rejection than those currently of record, it is clearly time that the Examiner prepare an Examiner's Answer so that the position of the art unit is placed into condition for review and prosecution can thereby move expeditiously forward to the Board for that review.

As Appellants' representative pointed out in a telephone interview on February 15, 2007, with the Examiner's SPE, the constant re-opening of prosecution that characterizes the prosecution of this application adds tremendous cost to the appeal and the rejections currently of record do not justify this tremendous additional cost.

Therefore, it is respectfully requested that the Examiner now be required to prepare an Examiner's Answer so that this prosecution can be brought to reasonable termination.

A Notice of Appeal, along with the 3rd Supplemental Appeal Brief has been submitted concurrently herewith.

Respectfully submitted,

Date:

2/15/07



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